

BEFORE THE BOARD OF ZONING ADJUSTMENT, D. C.

Application No. 11673, of Holly House Apartments, Inc., pursuant to Section 8207.11 of the Zoning Regulations for a variance from the use provisions of the R-5-B zone to use the subject premise for commercial storage area at 1825 "T" Street, N. W., Lot 815, Square 131.

HEARING DATE: July 17, 1974

EXECUTIVE SESSION: July 23, 1974

FINDINGS OF FACT:

1. The subject property is improved with a seven story high rise apartment house approximately 28 years old.
2. The two underground levels are used as garages. The lower garage is vacant. Applicant is requesting that the lower level be used for commercial storage.
3. A Certificate of Occupancy was issued on July 10, 1953, for a commercial garage provided 8 spaces were reserved for tenants of the building.
4. Mr. Bernard Rupert testified that attempts were made to rent parking spaces to residents of the neighborhood but because of the high rate of vandalism this proved to be unsuccessful.
5. The Board finds that vandalism is not a basis of exceptional hardship, vandalism is a problem that affects all residents of the District.
6. Mr. Rupert further testified that it would be easier to secure the dead files because only one key would be given out and the space would be rented out to one person.
7. Opposition testified that no flyers or advertising signs have been seen in the neighborhood advertising parking spaces for rent. The neighborhood is plagued with a lack of parking spaces for its residents.

CONCLUSIONS OF LAW:

The Board finds that applicant has not proved a hardship within the purview of the variance clause.

Application No. 11673
PAGE No. 2

No evidence was submitted to show that the parking spaces were advertised for rent. The Board is of the opinion that vandalism cannot be considered as a basis for hardship as prescribed by Section 8207.11 of the regulations. If the garage can be made safe for the storage of dead files, it can be made secure for automobiles.

Further, we hold that the requested relief cannot be granted without substantial detriment to the public good and without impairing the intent and purpose of the Zoning Regulations.


ORDERED:

That the above application be, DENIED.

VOTE: 4-1 (Mr. Scrivener dissenting.)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


JAMES E. MILLER
Secretary to the Board

FINAL DATE OF THIS ORDER. **AUG 26 1974**

Before the Board of Zoning Adjustment, D. C.

11673 - Reconsideration of Holly House Apartments, Inc. pursuant to Section 8207.1 of the Zoning Regulations for a variance from the use provisions of the R-5-B Zone for permission to use the subject premise for a commercial storage area at 1825 T Street, N. W., Lot 815, Square 131.


HEARING DATE: July 17, 1974

DECISION DATE: July 23, 1974, January 21, 1975

ORDERED: That the applicant's motion for reconsideration be and is hereby DENIED for a lack of 4 affirmative votes.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


JAMES E. MILLER,
Secretary to the Board

FINAL DATE OF ORDER: JAN 27 1975